

DECISION RECORD
Devon Energy Production Company, L.P. McGee Plan of Development
Categorical Exclusion 3 (CX3), WY-070-390CX3-13-313 & WY-070-390CX3-13-340
Section 390, Energy Policy Act of 2005
Bureau of Land Management, Buffalo Field Office, Wyoming

DECISION. The BLM approves the applications for permit to drill (APDs) from Devon to drill 2 oil wells and construct their associated infrastructure as described in the CX3 worksheet, WY-070-390CX3-13-313 and -340 which BLM incorporates here by reference.

Compliance. This decision complies with:

- Federal Land Policy and Management Act of 1976 (FLPMA) (43 USC 1701); DOI Order 3310.
- National Environmental Policy Act of 1969 (NEPA) (42 USC 4321).
- National Historic Preservation Act of 1966 (16 USC 470).
- Endangered Species Act of 1974 (16 USC 1531).
- Buffalo and Powder River Basin (PRB) Final Environmental Impact Statement (FEIS), 1985, 2003.
- Buffalo Resource Management Plan (RMP) 1985, Amendments 2001, 2003, 2011.

Consultation. This decision considered:

- BLM Washington Office Instruction Memorandum No. 2009-078, Processing Oil and Gas Application for Permit to Drill for Directional Drilling into Federal Mineral Estate from Multiple-Well Pads on Non-Federal Surface and Mineral Locations, 2009.
- Wyoming BLM State Director Review, SDR No. WY-2011-010, EOG Resources, Inc. v. Pinedale Field Office, 2011.

A summary of the details of the approval follows. The CX worksheet, WY-070-390CX3-13-313 and -340 includes the project description, including site-specific mitigation measures which are incorporated by reference into that worksheet from earlier analysis. The proposed wells are approximately 45 miles south of Gillette, Campbell County, Wyoming. The McGee POD proposal consists of 2APDs to develop and produce oil from the Parkman and Turner formations of the PRB.

Approvals. BLM approves the following APDs and associated infrastructure:

#	Well Name	Well #	QTR	Sec	TWP	RNG	Lease	CX Number
1	McGee Fed 264472-3PH	264472-3PH	SWSE	23	44N	72W	WYW-99013	WY-070-390CX3-13-313
2	McGee Fed 264472-4TH	264472-4TH	SWSE	23	44N	72W	WYW-99013	WY-070-390CX3-13-340

THE FINDING OF NO SIGNIFICANT IMPACT (FONSI). Congress, the Department of Interior and BLM affirmed there was no significant impact of a like-structured project when they created this CX3 and its limiting parameters. Thus a FONSI and an EIS is not required.

COMMENT OR NEW INFORMATION SUMMARY. Since implementation of this CX3 proposal BFO received a new Interior Department policy on wilderness, a new GSG policy, and maintained that policy into the Buffalo RMP.

DECISION RATIONALE. The approval of this project is because:

1. Mitigation measures and conditions of approval (COAs), analyzed in the CX3 worksheet, in EISs or EAs to which the CX3 worksheet tiers or incorporates by reference, will reduce environmental impacts while meeting the project's need.

2. The project conditioned by its design features and COAs, will not result in any undue or unnecessary environmental degradation. The PRB FEIS analyzed and predicted that the PRB oil and gas development would have significant impacts to the region's sage-grouse population. The impact of this development cumulatively contributes to the potential for local extirpation yet its effect is acceptable because it is outside priority habitats and is within the parameters of the PRB FEIS Record of Decision (ROD) and current BLM and Wyoming sage-grouse conservation strategies.
3. There are no conflicts anticipated or demonstrated with current uses in the area. This decision approving the Merit Federal 22-32 complies with the Energy Policy Act of 2005, Section 390, 43 CFR 1610.5, 40 CFR 1508.4, and 43 CFR 46.215.
4. Approval of this project conforms to the terms and the conditions of the 1985 Buffalo RMP (BLM 1985) and subsequent update (BLM 2001) and amendments (BLM 2003, 2011). This project complies with the breadth and constraints of CX3, Energy Policy Act of 2005, and subsequent policy.
5. The selected alternative will help meet the nation's energy need, revenues, and stimulate local economies by maintaining workforces.
6. The project is clearly lacking in wilderness characteristics because it is amidst oil/gas development.
7. This decision does not foreclose the lessee or operator to propose a new or supplementary plan for developing the federal oil and gas lease(s) in this project area, including submission of additional APDs to drain minerals in accord with lease rights and law. This decision does not foreclose the lessee or operator to propose using external pumping units via a sundry application process.
8. This approval is subject to adherence with all of the operating plans, design features, and mitigation measures contained in the Master Surface Use Plan of Operations, Drilling Plan, and information in individual APDs.

ADMINISTRATIVE APPEAL: This decision is subject to administrative appeal in accord with 43 CFR 3165. Request for administrative appeal must include information required under 43 CFR 3165.3(b) (State Director Review), including all supporting documentation. Such a request must be filed in writing with the State Director, Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003, no later than 20 business days after this Decision Record is received or considered to have been received. Any party who is adversely affected by the State Director's decision may appeal that decision to the Interior Board of Land Appeals, as provided in 43 CFR 3165.4.

Field Manager: _____

Date: _____

11/5/13

Categorical Exclusion 3 (CX3), WY-070-390CX3-13-313 & WY-070-390CX3-13-340
Section 390, Energy Policy Act of 2005
Devon Energy Production Company, L.P. McGee Plan of Development
Bureau of Land Management, Buffalo Field Office, Wyoming

Description of the Proposed Action.

The proposed action is to explore for and possibly develop oil reserves in geologic formations currently leased by Devon in Wyoming. Lease parcel for exploration is WYW99013 located in the House Creek Field. The project area is in T44N R72W Sec. 23. The proposed project consists of drilling 2 horizontal oil wells to the Parkman and Turner formation from one well pad. Devon proposes to drill, complete, produce, and eventually reclaim both locations. Associated infrastructure will include tank batteries, access roads and an existing frac pit (constructed for fee mineral development). No gathering pipelines are proposed. Any future gathering pipelines or other infrastructure will have a sundry submitted and analyzed in a separate NEPA document.

Devon submitted the McGee as a notice of staking (NOS) electronically 8/31/12 to the BFO. Due to landowner issues the original well location was moved to an adjacent landowner, after the NOS submittal, thus affecting onsite scheduling. Onsites were held March 26, 2013 to evaluate the proposal and modified it as necessary to mitigate environmental impacts. Applications for permits to drill (APDs) were submitted May 30, 2013. The BLM sent a post-onsite deficiency letter to Devon on June 18, 2013. The project had issues with landowner access and a second on-site was held October 18, 2013. In addition a second well was added to the POD that caused delays affecting APD and deficiency submittals.

The well pad is located on fee surface above fee minerals. The access is on fee surface above federal minerals. Right-of-way grants are not required since no federal surface land will be crossed.

Table 1. Proposed Wells

#	Well Name	Well #	QTR	Sec	TWP	RNG	Lease	CX Number
1	McGee Fed 264472-3PH	264472-3PH	SWSE	23	44N	72W	WYW99013	WY-070-390CX3-13-313
2	McGee Fed 264472-4TH	264472-4TH	SWSE	23	44N	72W	WYW99013	WY-070-390CX3-13-340

Table 1.1. Summary of Surface Disturbance

Activity	Length (feet)	Width (feet)	Disturbed	Interim Disturbance
McGee pad	510	330	5.9 acres	2.5 acres
Access Road (new construction)	5495	70	8.8 acres	2.52 acres
Access Road (existing to be improved)	3140	15	1.1 acres	1.0 acres
Surface Pipeline (poly, water)	7857	50	9.0 acres	
Existing Frac Pit	varies	varies	6.3 acres	
Proposed Overhead Power	1609	15	.55 acres	

NOTE: disturbance for surface line is operator's estimate for placement, actual movement of surface line once in place is anticipated to be less. Interim reclamation, for access, numbers calculated w/ 20' width running surface of road.

Devon will construct approximately 5495 feet of new access, upgrade (road widening to 20 ft. running surface) approximately 3140 feet of existing coal bed natural gas (CBNG) access road. Maintenance will be necessary to prevent soil erosion and accommodate year-round traffic.

Water storage for completion processes is via an existing frac pit constructed for fee development. A

12 inch polyline will be laid on the surface from the pit to completion equipment. If the wells are productive, oil and water (specifics regarding approved facilities are located in Master Surface Use Plan (MSUP pp.5-8)) will be stored on location in tank batteries and trucked off location.

For more details on project area access, design features, construction practices of the proposed action and details regarding reclamation refer to the (MSUP pp.3-11) in the POD. The plan was written and reviewed to ensure that environmental impacts to both surface and subsurface resources are minimized. Also see the individual APDs for a map showing the proposed access road, existing roads and pad location.

The estimated time to construct the well pad is 7-14 days, estimated time to drill the well is 10-20 days, and the estimated time for completion activities is 6-16 days.

AFFECTED SURFACE OWNERS:

Rusty & Tina McGee.

Ark Land Company

State of Wyoming

For contact information refer to the Master Surface Use Plan (MSUP) in the POD.

Plan Conformance, Compliance, and Justification with the Energy Policy Act of 2005.

The Energy Policy Act of 2005, Section 390(a) subjects oil or gas exploration or development to a rebuttable presumption that the use of a categorical exclusion under the National Environmental Policy Act (NEPA) applies. Thus BLM must use an Energy Policy Act, Section 390(b), CX unless BLM rebuts the presumption. This CX worksheet is NEPA compliance categorically excluded from an EA or EIS or their analysis; it is not an exclusion from all analysis. (40 CFR 1508.4 and BLM H-1790, p. 17.) The proposed action conforms with the terms and conditions of the Approved Resource Management Plan (RMP) for the public lands administered by the BLM, Buffalo Field Office (BFO), 1985, the PRB FEIS, January 2003, and the Record of Decision (ROD) and Resource Management Amendments for the Powder River Oil and Gas Project, Amendments of 2001, 2011 as required by 43 CFR 1610.5, 40 CFR 1508.4, and 43 CFR 46.215. The McGee POD APDs and area are clearly lacking in wilderness characteristics as they are amidst extensive natural gas development with miles of mechanically maintained improved roads, (DOI Order 3310). BLM finds that the conditions and environmental effects found in the senior EA and PRB FEIS remain valid.

The applicable categorical exclusion from the Energy Policy Act of 2005, Section 390, is exclusion number (b)(3) which is *drilling an oil or gas well within a developed field for which an approved land use plan or any environmental document prepared pursuant to NEPA analyzed such drilling as a reasonably foreseeable activity, so long as such plan or document was approved within 5 years prior to the date of spudding the well.*

BLM has 3 requirements to use a Section 390 CX3, (BLM H-1790, Appendix 2, #3, p. 143):

- 1) The proposed APD is in a developed oil or gas field (any field with a completed confirmation well).

Table 1.2 is a list of existing/approved PODs that are within or adjacent to the McGee POD project area. This information shows the reader that BLM conducted analysis.

Table 1.2. Adjacent or Overlapping Oil & Gas Well POD NEPA Analyses by Decision Date

#	POD / Well Name	NEPA Analysis #	# / Type Wells	Decision Mo/Yr
1	Durham Ranches 1 POD	WY-070-EA13-83	4 oil wells	2/21/13
2	Cherokee Ridge POD	WY-070-EA11-265	3 oil wells	8/31/11

- 2) There is an existing NEPA document (and the RMP) containing reasonably foreseeable development scenario for this action. There are several existing NEPA documents that reasonably foresaw development to spud additional wells to fill in 80 acre well-spacing. BLM reviewed these documents and determined they considered the potential environmental effects associated with the proposed activity at a site specific level. In addition, all approved EAs, see Table 1.4, tier into the PRB FEIS. The PRB EIS analyzed foreseeable development in the PRB. The PRB foreseeable development included 3,200 oil wells and drilling CBNG wells on 80 acre-spacing resulting in about 51,000 CBNG wells and 3,200 oil wells.

Table 1.3. EAs Which Account for Reasonably Foreseeable Development Scenario

#	POD Name	NEPA Analysis #	# / Type Wells	Decision Mo/Yr
1	Durham Ranches 1 POD	WY-070-EA13-83	4 oil wells	2/21/13

- 3) The tiered NEPA document was finalized or supplemented within 5 years of spudding (drilling) the proposed well.

The McGee Fed POD CX#s tier to the following approved EAs listed in Table 1.4.

Table 1.4. NEPA Documents Finalized Within Anticipated Spud Date

#	POD / Well Name	NEPA Analysis #	# / Type Wells	Decision Mo/Yr
1	Durham Ranches 1 POD	WY-070-EA13-83	4 oil wells	2/21/13
2	Cherokee Ridge POD	WY-070-EA11-265	3 oil wells	8/31/11

BLM also incorporates by reference the analysis in the similarly situated, designed, and proposed development analyzed in Valerie POD, WY-070-EA12-68, approved March 1, 2012.

In summary the EAs in Tables 1.3 and 1.4 analyzed in detail the anticipated direct, indirect, residual, and cumulative effects that would result from the approval of these APDs and associated support structure in McGee POD is similar to both the qualitative and quantitative analysis in the above mentioned EAs. The BFO reviewed these EAs and found that the EAs considered potential environmental effects associated with the proposed activity at a site specific level.

Plan of Operations.

The proposal conforms to all Bureau standards and incorporates appropriate best management practices, required and designed mitigation measures determined to reduce the effects on the environment. BLM reviewed and approved a surface use plan of operations describing all proposed surface-disturbing activities pursuant to Section 17 of the Mineral Leasing Act, as amended. This CX3 worksheet also incorporates and analyzes the implementation of committed mitigation measures contained in the SUP, drilling plan, in addition to the Standard COAs found in the PRB FEIS ROD, Appendix A.

Soils/Vegetation

BLM obtained detailed soils identification and data for the project area from the North Johnson County Survey Area, Wyoming Soil Survey Geographic (SSURGO) Database (WY719). NRCS performed the soil survey according to National Cooperative Soil Survey standards. The BLM uses county soil survey information to predict soil behavior, limitations, or suitability for a given activity or action. The agency's long term goal for soil resource management is to maintain, improve, or restore soil health and productivity, and to prevent or minimize soil erosion and compaction. Soil management objectives are to ensure that adequate soil protection is consistent with the resource capabilities. Many of the soils and landforms of this area present distinct challenges for development, and /or eventual site reclamation.

Ecological site descriptions provide site and vegetation information needed for resource identification, management and reclamation recommendations. BLM specialists used NRCS published soil survey information, verified through onsite field reconnaissance, to determine the appropriate ecological sites for this POD area.

Impacts anticipated to occur and mitigation considered with the implementation of the proposed action will be similar to those analyzed in the following EAs which are adjacent or overlapping to the McGee POD and are incorporated here by reference:

1. Durham Ranches 1 EA WY-070-13-83, pp. 12-14
2. Cherokee Ridge WY-070-13-265, pp. 16-18

Wetlands/Riparian

No wetlands/riparian areas are within the project area.

Invasive Species

Impacts anticipated to occur and mitigation considered will be similar to those analyzed in the following EAs which are adjacent or overlapping to the McGee POD and are incorporated here by reference:

1. Durham Ranches 1 EA WY-070-13-83, pp. 15.
2. Cherokee Ridge WY-070-13-265, pp. 18

Wildlife.

A BLM wildlife biologist reviewed the proposed APD. The wildlife biologist determined that the proposed APD, combined with the COAs (and design features), is: (1) consistent with the FEIS and its supplements, the RMP and the above tiered EAs; and (2) consistent with the programmatic biological opinion (ES-6-WY-02-F006), which is an update from the PRB FEIS, Appendix K. The biologist performed an onsite visits to the project area on March 26, 2013 and September 11, 2013. The affected environment and environmental consequences for wildlife are discussed in, and anticipated to be similar to, the Durham Ranches 1 EA WY-070-13-83 and Cherokee Ridge EA WY-070-13-265.

Raptors

Effects to raptors were analyzed in the Durham Ranches 1 EA WY-070-13-83 and Cherokee Ridge EA WY-070-13-265. The BLM raptor database shows that ferruginous hawk nest 13111 is located approximately 0.21 mile from the proposed access route. It is recommended that surface disturbing activities be restricted during the nesting season (February 1 – July 31) until it is determined that the nest is not active or young have fledged.

Greater Sage-Grouse (GSG)

Effects to GSG were analyzed in the Durham Ranches 1 EA WY-070-13-83 and Cherokee Ridge EA WY-070-13-265. The proposed well is located approximately 4 miles from the NW Wright lek in sagebrush grassland habitat. The sagebrush habitat at the proposed well location was burned in a recent wildfire, leaving a small amount of sagebrush cover impacted by the access road. Because of the distance to the nearest lek, lack of suitable habitat and nearness to the community of Reno Junction/Wright, no mitigation for GSG is recommended.

In March, 2012, WY BLM released the report, “Viability analyses for conservation of sage-grouse populations: Buffalo Field Office, Wyoming,” indicating that a viable population of GSG remains in the PRB, but the combined impacts of multiple stressors, including West Nile virus (WNV) and energy development, threaten that viability (Taylor et al 2012). The information in the report identified that the effects of energy development are detectable at a larger spatial scale than analyzed in the documents listed in Table 1.3, above. Additional information regarding the population viability analysis, and its influence on cumulative effects from energy development is found in the affected environment and environmental

effects sections (Section 3.7.12 and 4.8.2 – Candidate Species – Greater Sage-grouse (Sage-grouse)) of the Mufasa Fed 11-31H Well EA, WY-070-EA12-062, incorporated here by reference. Given that the McGee well project is located near urban development and habitat has been compromised by fire, this new information does not substantially change the analysis included in the Durham Ranches 1 EA WY-070-13-83 and Cherokee Ridge EA WY-070-13-265 POD EA.

Migratory Birds

The wildfire that occurred in 2012 left a large area surrounding the proposed well location devoid of vegetation. Subsequent perennial grass growth and the somewhat rolling terrain reduces the suitability of the location as mountain plover (BLM sensitive species) nesting habitat.

Effects to migratory birds from surface disturbing and disruptive activities associated with development of the proposed McGee well is similar to the wells previously analyzed in the CX3s, covering Bonita Federal Com. 11H-WY-070-390CX3-13-41, Lone Moose Federal Com. 13H-WY-070-390CX3-13-73, Cousins Federal Com. 22H-WY-070-390CX3-13-74 and Rocky Butte Federal Com. 29H-WY-070-390CX3-13-75 on pp. 6-9 (all approved under one NEPA document) referenced in Table W1.1, below. The wildlife biologist has determined that the proposal is in compliance with Instruction Memorandum No. WY-2013-005 Interim Management Guidance for Migratory Bird Conservation Policy on Wyoming Bureau of Land Management (BLM) Administered Public Lands Including the Federal Mineral Estate.

Table W1.1. NEPA Analyses, Incorporated by Reference Here, for Wildlife Analysis

#	Well Name & #	Qtr	Sec	Twp	Rng	CX Number
1	Bonita Federal Com 11H	NENE	10	43N	73W	WY-070-390CX3-13-41
2	Cousins Federal Com 22H	SWSE	2	43N	74W	WY-070-390CX3-13-74
3	Lone Moose Federal Com 13H	NWNW	26	44N	74W	WY-070-390CX3-13-73
4	Rocky Butte Federal Com 29H	NENW	4	43N	73W	WY-070-390CX3-13-75

Reference

Taylor, R. L., D. E. Naugle, L. S. Mills. 2012. Viability analyses for conservation of sage-grouse populations: Buffalo Field Office, Wyoming. Final Report. February 27, 2012. University of Montana, Missoula, MT.

Water Resources.

Fresh water for drilling and cementing purposes will be obtained from outside the POD boundary (see MSUP for legal locations of water well) and hauled to location by transport truck. An estimated 15,000 bbls (approximately 10-15 truckloads per day) of water for drilling of each of the wells will be required.

An existing frac pit and proposed surface pipeline will used for water storage and delivery for completion purposes. The same water source cited for drilling purposes will be used. Approximately 40,000 barrels of water will required for completion procedures (see MSUP for legal location of frac pit and surface pipeline location).

Produced water will be stored in tanks on the location and trucked off. The produced water will be taken to an approved Class II disposal well or an evaporation facility (see MSUP for legal locations of disposal wells and evaporation ponds pp. 5). Quantities of produced water are unknown at this time.

Disposal of produced water from a federal mineral lease is regulated by the BLM through Onshore order No. 7. Disposal facilities must be properly permitted by the WDEQ.

BFO RMP, p. 26 contained a reasonable foreseeable development scenario of 800 wells per year and projected water use of 2.8 acre feet (ac-ft) per well for the average oil well. The 2003 PRB ROD projected 3,200 oil wells which would include the use 8,960 ac-ft of water.

The WDEQ and WOGCC regulate waters and chemicals for drilling, “BLM may rely on the actions of state regulators. The IBLA and federal courts recognized it is appropriate for BLM to assume a proposed action complies with state permitting requirements, and rely on state analysis when evaluating the significance of effects. *Wyo. Outdoor Council v. U.S. Army Corps of Eng'rs*, 351 F. Supp. 2d 1232, 1244 (D. Wyo. 2005); PRBRC, 180 IBLA 32, 57 (2010); *Bristlecone Alliance*, 179 IBLA 51, 74-77 (2010).” In *Wyoming Outdoor Council*, the District Court held the Corps may rely on the WDEQ permitting process to “ameliorate any concerns that impacts to water quality will be significant.” *Id.*

Adherence to the drilling COAs, the setting of casing at appropriate depths, following safe remedial procedures in the event of casing failure, and using proper cementing procedures should protect any fresh water aquifers above the target zone. This will ensure that ground water will not be adversely impacted by well drilling and completion. The operator will run surface casing to 3,000 feet, total vertical depth to protect shallow aquifers. The water bearing formation in the Fox Hills Formations will be protected with casing and cement. Centralizers will be placed on every joint throughout the Fox Hills Formation. Estimated depth of the Fox Hills is 5631 total vertical distance (TVD). Compliance with the drilling and completion plans and Onshore Oil and Gas Orders Nos. 2 and 7 will ensure there is no adverse impact on ground water.

Devon will have to produce the well(s) for a time to be able to estimate the volume and quantity of water production. To comply with Onshore Order Oil and Gas Order No. 7 Disposal of Produced Water, Devon will submit a Sundry to the BLM within 90 days of first production which includes a representative water analysis and the final proposal for water management. The quality of water produced in association with conventional oil and gas historically was such that surface discharge would not be possible without treatment. Initial water production is quite low in most cases. There are 3 common alternatives for water management: re-injection, deep disposal, or disposal into pits. All alternatives would be protective of groundwater resources when performed in compliance with state and federal regulations.

The historical use for groundwater in this area was for stock water or domestic purposes. There are 58 CBNG and no water injection wells (WIW) in the project area.

A search of the WSEO Ground Water Rights Database showed 3 registered stock water wells within 1 mile of the proposed well(s) in the project area with depths from 90 to 500 feet. In addition there are 4 domestic wells and one municipal well within 1 mile of the project area. See drilling plan for design features that address protection of any and all water sources.

Refer to the PRB FEIS for additional information on groundwater, pp. 3-1 to 3-36.

Existing conditions and uses were analyzed in the following EAs which are adjacent or overlapping to the McGee POD and are incorporated here by reference:

1. Durham Ranches 1 EA WY-070-13-83, pp.14

No impacts to surface water will result from this proposed action.

Cultural

In accordance with section 106 of the National Historic Preservation Act, BLM must consider impacts to historic properties (sites that are eligible for or listed on the National Register of Historic Places (NRHP)). For an overview of cultural resources that are generally found within BFO the reader is referred to the *Draft Cultural Class I Regional Overview, Buffalo Field Office*. A Class III (intensive) cultural resource

inventory (BFO project no. 70140006) was performed in order to locate specific historic properties which may be impacted by the proposed project. The following resources are located in or near the proposed project area.

Cultural Resources Located In or Near the Project Area

Site Number	Site Type	NRHP Eligibility
48CA7169	Historic Debris Scatter	Not Eligible

BLM policy states that a decision maker’s first choice should be avoidance of historic properties (BLM Manual 8140.06(C)). If historic properties cannot be avoided, mitigation measures must be applied to resolve the adverse effect. Non eligible site 48CA7169 will be impacted by the proposed project. No historic properties will be impacted by the proposed project. Following the State Protocol Between the Wyoming Bureau of Land Management State Director and The Wyoming State Historic Preservation Officer, Section VI(A)(1) the Bureau of Land Management electronically notified the Wyoming State Historic Preservation Officer (SHPO) on 10/23/13 that no historic properties exist within the area of potential effect (APE). If any cultural values (sites, features or artifacts) are observed during operation, they will be left intact and the Buffalo Field Manager notified. If human remains are noted, the procedures described in Appendix L of the PRB FEIS must be followed. Further discovery procedures are explained in Standard COA (General)(A)(1)

List of Preparers: Persons and Agencies Consulted (BFO unless otherwise noted)

Position/Organization	Name	Position/Organization	Name
NRS/Team Lead	Eric Holborn	Archaeologist	G.L. “Buck” Damone III
Supr NRS	Casey Freise	Wildlife Biologist	Don Brewer
Petroleum Engineer	Will Robbie	Geologist	Kerry Aggen
LIE	Christine Tellock	Grazing Management	NA
Soils	Arnie Irwin	Supr NRS	Kathy Brus
Hydrologist	NA	Assistant Field Manager	Chris Durham
Assistant Field Manager	Clark Bennett	NEPA Coordinator	John Kelly

Decision and Rationale on the Proposal.

The COAs provide mitigation and further the justification for this decision and may not be segregated from project implementation without further NEPA review. I reviewed the plan conformance statement and determined that the proposed McGee Fed CX3 APDs and infrastructure conform to the applicable land use plan, 43 CFR 1610.5, 40 CFR 1508.4, and 43 CFR 46.215. I reviewed the proposal to ensure the appropriate exclusion category as described in Section 390 of the Energy Policy Act of 2005 is correct. I determined that there is no requirement for further environmental analysis.


 Field Manager

11/5/13
 Signature Date

Contact Person, Eric Holborn, Natural Resource Specialist, Buffalo Field Office, 1425 Fort Street, Buffalo WY 82834,307-684-1100.